

## REMARKS

This Response is submitted in reply to the Office Action dated July 8, 2005. Claims 1, 3, 8-9, 11-12, 14, 18-23, 25-30 and 33-39 are pending in the patent application. The Office Action Objected to Fig. 10 as being illegible. Claims 18 and 33 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 3, 8-9, 11-12, 14, 18-21, 23, 25-30, 33-34 and 36-39 were rejected under 35 U.S.C. § 102(e) as being anticipated by Emens et al., U.S. Patent No. 6,463,343 ("Emens"). Claims 20 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Emens in view of Fowler et al., U.S. Patent No. 6,714,977 ("Fowler"). At least for the reasons set forth below, Applicant believes that the rejections raised in the Office Action have been overcome and thus should be withdrawn.

Prompt and favorable action is respectfully solicited.

The Office Action Objected to Fig. 10 as being illegible. Applicant has submitted replacement Fig. 10 and amended the specification as appropriate. No new matter was introduced by these amendments. For at least these reasons, Applicant submits that replacement Fig. 10 is legible and the Office Action's objection to the drawings is overcome.

Claims 18 and 33 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 18 and 33 recited "a keyboard or some other user input means". The Office Action states that Claims 18 and 33 recited "some user input" and "keyboard" and argues that such recitations may raise doubt as to each claim's scope. Applicant respectfully disagrees; however, for clarification purposes Applicant has amended Claims 18 and 33 to recite "a user input means". It should be noted that a keyboard is within the scope of "a user input means". For at least these reasons, Applicant submits that Claims 18 and 33 are not indefinite and are in condition for allowance.

In the Office Action, the claims are rejected for alleged anticipation and obviousness reasons as noted above.

Claim 1 relates to a portable information processing terminal including an identification means for automatically identifying targets on the basis of the identification information imaged by an imaging means.

Emens relates to a method for controlling a remote device using a digital image of a remote location. However, Emens describes a user manually associating regions of an image with a device. Col. 5, Line 65 – Col. 6, Line 15. Further, Emens admits that the user can incorrectly associate image regions and devices, thus resulting in the system malfunctioning. Col. 5, Lines 34-47. As a result, Emens does not disclose or suggest identification means for automatically identifying targets on the basis of the identification information imaged by an imaging means as described in Claim 1.

Fowler relates to a method for monitoring a space and its contents over a network. Fowler describes using a video camera to record entry or exit of people from a room; however, like Emens, Fowler does not disclose or suggest identification means for automatically identifying targets on the basis of the identification information imaged by an imaging means as described in Claim 1. As a result, neither Fowler nor Emens, alone or in combination, discloses or suggests means for automatically identifying targets on the basis of the identification information imaged by an imaging means as described in Claim 1.

For at least these reasons, Claim 1 is patentably distinguished over Emens and is in condition for allowance. For similar reasons, Claims 3, 23 and 38-39 and Claims 8-9, 11-12, 14 and 18-22, which depend from Claim 3, and Claims 25-30 and 33-37, which depend from Claim 23 are each patentably distinguished over Emens and are in condition for allowance. Further, for at least these reasons, Claims 20 and 35 are each patentably distinguished over Emens in view of Fowler, even if combinable, and are in condition for allowance.

In light of the above, Applicants respectfully submit that Claims 1, 3, 8-9, 11-12, 14, 18-23, 25-30 and 33-39 are patentable over the art of record. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BY 

Thomas C. Basso (46,541)  
Cust. No. 29175

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**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Figure 10. This sheet replaces the original sheet including Figure 10.

Attachment: Replacement Sheet